

EBERLE, BERLIN, KADING, TURNBOW & GILLESPIE,
CHARTERED

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J. L. EBERLE (1890-1964)
T. H. EBERLE (1922-1977)

June 3, 1983

JIM
JUN 18 1983

Mr. Howard Terrell
Mr. Dan Terrell
U.S. Organic Ferto Corp.
P.O. Box 111
Spanish Fork, UT 84660

Re: Dry Creek Mining Activities

Dear Messrs. Terrell:

On June 2 and June 3, 1983, you suffered, caused and allowed either yourselves or your agents or employees to discharge explosives on the mining property which you have in Dry Creek Canyon, Sanpete County, near Milburn.

The damage, debris and effect of the blasting under the very severe and significant unstable soil conditions which exist in the State of Utah at the present time have not only caused a dangerous condition to exist but have caused slides and debris to go into the stream and canyon.

DEMAND IS HEREBY MADE for you to cease and desist all further blasting and activities which will suffer, cause or allow debris to enter the stream system, the sources of water, or which will result in danger to the canyon from slides and other erosion.

We are the lessee of the property lying West of the forest boundary, and you are hereby notified that you are not to trespass on the property, you are not to suffer, cause or allow any materials, equipment, camps or facilities to be located upon or in any way placed upon the property which we are leasing and which we own.

All prior consent to the use of the road system by you, your successors and assigns, and employees is withdrawn effective immediately.

RECEIVED
JUN 15 1983
DIVISION OF
OIL, GAS & MINING

Mr. Howard Terrell
Mr. Dan Terrell
U.S. Organic Ferto Corp.
June 3, 1983
Page two

We will look to you for all damage, cost and expense and loss associated with or in any way connected with your activities in the canyon or your trespass upon property owned or leased by us, or your ingress and/or egress over and across any of said property.

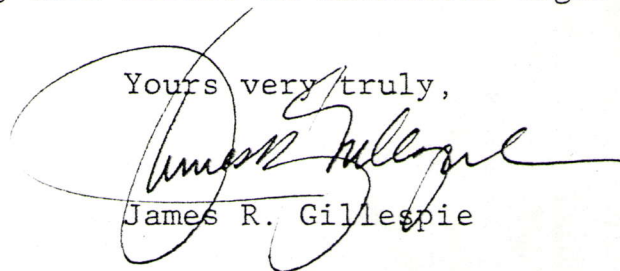
I find it absolutely incredible that you would engage in mining activities and blasting activities in light of the tremendous risk and problem of soil stability presently existing in Dry Creek Canyon.

In talking to Dan today, he advised that you had a lot of money and a lot of resources, and would spend a lot of such money and resources bulling your way through and engaging in the same kind of activities in which you are presently engaged, and/or resisting any efforts on our part to require your compliance with the law.

Dan also advised me that patents had been issued on the property which are the previous mining claims. I intend to exercise every reasonable effort to set those patents aside. We received absolutely no notice of your application or any activities with reference to the patents, nor did we receive any notice of any hearings on the environmental impact requirements are associated with your mining activities.

Your failure to immediately cease and desist your blasting and trespassing will result in immediate legal action.

Yours very truly,



James R. Gillespie

JRG:sh

cc: Mr. Robert Moody
55 E. Center St.
Provo, UT 84601

c: U.S. Forest Service
Manti-LaSal National Forest
350 East Main Street
Price, UT 84501

cc: State of Utah
Department of Natural Resources
Division of Oil, Gas and Mining
1588 West North Temple
Salt Lake City, UT 84116

P 397 070 186
RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	
Mr. Howard Terrell	
Street and No.	
Mr. Dan Terrell	
U.S. Organic Ferto Corp	
P.O. Box 111	
Spanish Fork, UT 48660	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return Receipt Showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	
JRG/sh 6-3-83	

PS Form 3800, Feb. 1982

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete lines 1, 2, 3, and 4 on the reverse.
 - Attach to front of article if space permits, otherwise affix to back of article.
 - Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



RETURN
TO



James R. Gillespie
(Name of Sender)

P.O. Box 1368

(Street or P.O. Box)

Boise, ID 83701

(City, State, and ZIP Code)

POSTAGE
 1. The following service is requested (check one).
☒ Show to whom and date delivered
☐ Show to whom, date, and address of delivery..
 2. ☐ RESTRICTED DELIVERY
 (The restricted delivery fee is charged in addition to the return receipt fee.)
 TOTAL \$
 3. ARTICLE ADDRESSED TO:
 U.S. Organic Ferto Corp.
 P.O. Box 111
 Spanish Fork, UT 84660
 4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL
 ARTICLE NUMBER
 P397 070 186
 (Always obtain signature of addressee or agent)
 I have received the article described above.
 SIGNATURE ☐ Addressee ☐ Authorized agent
 DATE OF DELIVERY
 6-14-83 HSG
 POSTMARK
 6. ADDRESSEE'S ADDRESS (Only if requested)
 7. UNABLE TO DELIVER BECAUSE:
 7a. EMPLOYEE'S INITIALS

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

<p>● SENDER: Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.</p>	
<p>(CONSULT POSTMASTER FOR FEES)</p>	
<p>1. The following service is requested (check one).</p>	
<p><input checked="" type="checkbox"/> Show to whom and date delivered \$</p>	
<p><input type="checkbox"/> Show to whom, date, and address of delivery.. \$</p>	
<p>2. <input type="checkbox"/> RESTRICTED DELIVERY (The restricted delivery fee is charged in addition to the return receipt fee.) \$</p>	
<p>TOTAL \$</p>	
<p>3. ARTICLE ADDRESSED TO: U.S. Organic Ferto Corp. P.O. Box 111 Spanish Fork, UT 84660</p>	
<p>4. TYPE OF SERVICE: <input type="checkbox"/> REGISTERED <input type="checkbox"/> INSURED <input checked="" type="checkbox"/> CERTIFIED <input type="checkbox"/> COD <input type="checkbox"/> EXPRESS MAIL</p>	<p>ARTICLE NUMBER P397 070 186</p>
<p>(Always obtain signature of addressee or agent)</p>	
<p>I have received the article described above.</p>	
<p>SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent</p>	
<p>5. DATE OF DELIVERY 6-14-83 HSG</p>	<p>POSTMARK</p>
<p>6. ADDRESSEE'S ADDRESS (Only if requested)</p>	
<p>7. UNABLE TO DELIVER BECAUSE:</p>	<p>7a. EMPLOYEE'S INITIALS</p>